

REMARKS

This responds to the Office Action mailed on February 17, 2005.

Claims 14 and 16 are amended, no claims are canceled, and no claims are added; as a result, claims 1-38 are now pending in this application. The amendments to the claims are fully supported by the specification as originally filed. No new matter is introduced. The amendments are made to clarify the claims. Applicant respectfully requests reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

§112 Rejection of the Claims

Claims 3-4, 14, and 16-18 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant traverses these grounds of rejection of these claims.

In the Office Action, it is stated

With respect to claims 3, 4, 17, and 18, each of the claims recites the limitation “a number of” registers. A number can be interpreted any number, which would include zero in which case the claims do not further limit their parent claims. Also, one of the ordinary definitions of “a number” is many, which denotes an indefinite quantity.

Applicant respectfully submits evaluating indefiniteness based on narrowly applying the term “a number” to the case of a number being zero is not proper. As noted in the Office Action, “a number” may be any number. Thus, “a number” may be 1 or 2 or 100. However, Applicant is not required to specify the numerical value of the one number. The fact that “a number” may be “2” in claims 3, 3, 17, and 18 provides further limitation to the claim from which they dependent.

In the Office Action, no objective evidence or reference is provided to support the Office Action position that “one of the ordinary definitions of ‘a number’ is many.” In the term “a number,” the inclusion of the word “a” indicates one number. The number may be 2. The number may be 100. Further, Applicant is not required to specify the numerical value of that number. In response to the Office Action, Applicant ran an electronic search of the term “a number of” in the claims of U.S. patents, which result in

more than 100 recent patents identified. See, for example, dependent claims 5, 6, 13, and 24 of US. Patent 6,907,598, dependent claim 9 of US. Patent 6,907,542, and dependent claim 11 of US. Patent 6,907,559. Applicant submits that the result of this search supports Applicant's position that the term "a number of" does not denote an indefinite quantity.

Claims 14 and 17 are amended to cure the insufficient antecedent basis situation identified in the Office Action. Applicant submits that 3-4, 14, and 16-18 satisfy 35 USC § 112, second paragraph.

Applicant respectfully requests withdrawal of these rejections of claims 3-4, 14, and 16-18, and reconsideration and allowance of these claims.

§102 Rejection of the Claims

Claims 1-5, 8-10, 14-18, 21-26, 29-34, and 37-38 were rejected under 35 USC § 102(e) as being anticipated by Garcia et al. (U.S. 6,163,834). Applicant traverses these rejections of these claims.

Applicant cannot find in Garcia et al. (hereafter Garcia) a disclosure, a teaching, or a suggestion of an apparatus including comparison logic with the comparison logic adapted to compensate for a block of memory having a segment that is non-contiguous with other segments of the block of memory to logically access the block of memory as a single contiguous block of memory, as recited in claim 1. In the Office Action, it is stated that

Garcia discloses a system comprising: ... comparison logic adapted to compensate for the block of memory having a segment that is non-contiguous with the other segments of the block of memory to access the block of memory as a single contiguous block of memory (see figures 8A-8B, non contiguous segments or entries are rearranged into a contiguous block by reassigning memory handles).

Applicant submits that the characterization of Garcia provided in this quote from the Office Action shows that Garcia discloses a system whose features are in contrast to the features of instant claim 1. According to the Office Action, Garcia's "comparison logic" is adapted such that "non contiguous segments or entries are rearranged into a contiguous block." This is shown in Figures 8A-8B, as noted in the quote. Physically rearranging non-contiguous segments or

entries into a contiguous block is distinctly different from accessing access non-contiguous segments of a memory block logically as one contiguous block of memory. Therefore, Applicant submits that Garcia does not teach the identical invention in as complete detail as is contained in claim 1 and that Garcia does not teach each and every claim element of claim 1. Thus, Applicant submits that Garcia does not anticipate claim 1 and that claim 1 is patentable over Garcia for at least the reasons stated above.

Applicant submits that independent claims 16, 23, and 31 are patentable over Garcia for at least reasons similar to those stated above with respect to claim 1. Further, claims 1-5, 8-10, and 14-15, claims 17-18 and 21-22, claims 24-26 and 29-30, and claims 32-34 and 37-38 depend from claims 1, 16, 23, and 31, respectively, and are patentable over Garcia for at least the reasons stated herein.

Applicant respectfully requests withdrawal of these rejections of claims 1-5, 8-10, 14-18, 21-26, 29-34, and 37-38, and reconsideration and allowance of these claims.

Allowable Subject Matter

Claims 6-7, 11-13, 19-20, 27-28, and 35-35 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully submits that claims 6-7, 11-13, 19-20, 27-28, and 35-35 depend from patentable independent claims and are patentable for at least the reasons stated herein with respect to their respective independent claims.

Applicant respectfully requests withdrawal of these objections of claims 6-7, 11-13, 19-20, 27-28, and 35-35, and reconsideration and allowance of these claims.

Assertion of Pertinence

Applicant has not responded to the assertion of pertinence stated for the patents cited, but not relied upon, by the Office Action since these patents are not relied upon as part of the rejections in this Office Action. Applicant is expressly not conceding they have any pertinence and reserves the right to respond more fully should any of them form a part of some future rejection.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 371-2157) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 17 June 2005

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